

STATE OF WISCONSIN

CIRCUIT COURT

IRON COUNTY

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TOWN OF MERCER,

Petitioner,

v.

WISCONSIN EMPLOYMENT  
RELATIONS COMMISSION,

Respondent,

and  
CHAUFFEURS, TEAMSTERS,  
WAREHOUSEMEN and HELPERS  
LOCAL UNION No. 446,

Intervenor.

NOTICE OF ENTRY OF  
ORDER AND JUDGMENT

Case No. 2069

Decision No. 14783-B

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TO: The Honorable Alex J. Raineri  
P.O. Box 186  
Hurley, WI 54534

Attorney Matthew Robbins  
P.O. Box 92099  
Milwaukee, WI 53202

PLEASE TAKE NOTICE that an order and judgment, of which a true and correct copy is hereto attached, was duly entered in the above action in the Circuit Court for Iron County, Wisconsin, on the 10th day of May, 1978.

Dated at Madison, Wisconsin, this 22nd day of May, 1978.

BRONSON C. LA FOLLETTE  
Attorney General

John D. Niemisto /s/

JOHN D. NIEMISTO  
Assistant Attorney General

Attorneys for Respondent,  
Wisconsin Employment Relations  
Commission.

P.O. Address:  
114 East, State Capitol  
Madison, WI 53702  
(608) 266-0278

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Intervenor.

The above matter having come on for hearing before the court upon the petition of the petitioner above named for review of an order of the Wisconsin Employment Relations Commission, and on the counter-petition of the Wisconsin Employment Relations Commission for enforcement of the same order; petitioner appearing by the Honorable Alex J. Raineri; respondent appearing by Bronson C. La Follette, Attorney General, and John D. Niemisto, Assistant Attorney General; intervenor respondent appearing by Goldberg, Prevliout & Uelmen SC by Attorney Matthew R. Robbins; and the court having considered the matter upon the record and written arguments or counsel, and having, on the 24th day of April, 1978, filed its decision in writing, now, on motion,

IT IS ORDERED, ADJUDGED, AND DECREED that the order of the Wisconsin Employment Relations Commission, entered on April 28, 1977, in the matter of "Chauffeurs, Teamsters, Warehousemen and Helpers Union, Local No. 446. . . , Complainant, vs. Town of Mercer, Respondent, Case II, No. 20652 MP-640, Decision No. 14783-B" be, and the same hereby is, confirmed and enforced, the court reserving jurisdiction to make such further order or judgment in the premises as may be necessary to give full force and effect to the said order of the commission and the enforcement thereof on the evidence in the record or on the taking of such further evidence as appears to the court to be necessary, the present order and judgment of the court to be deemed interlocutory as to those matters that may call for or require further action on the part of the court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioners, their officers and agents shall immediately:

1. Cease and desist from discriminating against William Thompson and James Kichak, or any other employes, because of their union activities on behalf of Chauffeurs, Teamsters, Warehousemen and Helpers Union, Local No. 446, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, or any other labor organization.

2. Cease and desist from granting any increase to unit employes, unless it first bargains over said increases with Chauffeurs, Teamsters, Warehousemen and Helpers Union, Local No. 446, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America.

3. Take the following affirmative action which the undersigned finds will effectuate the purposes of the Municipal Employment Relation's Act:

(a) Immediately offer reinstatement to William Thompson and James Kichak to their former positions without prejudice to their seniority and other rights which they may enjoy and make them whole by paying them a sum of money equal to that which they would have earned or received, including all benefits, less any amount of money that they earned or received that they otherwise would not have earned or received, but for their terminations.

(b) Notify all employes, by posting in conspicuous places in its offices where employes are employed, copies of the notice ordered by the Commission. That notice shall be signed by Respondent, and shall be posted immediately upon receipt of a copy of this Order and shall remain posted for thirty (30) days thereafter. Reasonable steps shall be taken by Respondents to ensure that said notices are not altered, defaced or covered by other material.

(c) Notify the Wisconsin Employment Relations Commission, in writing within twenty (20) days following the date of this Order, as to what steps have been taken to comply herewith.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petition of the aforesaid petitioners for review of the said order of the commission be, and the same hereby is, dismissed.

Dated this 10th day of May, 1978.

BY THE COURT:

W. Patrick Donlin /s/  
Circuit Judge